

EXECUTIVE OFFICER SUMMARY REPORT
February 9, 2005

ITEM: 7

SUBJECT: Rescission of Waste Discharge Requirements (Order No. 97-12)
Synagro of California, Inc (formerly Pima Gro Systems, Inc.)
Riverside County (tentative Order No. R9-2005-004) (*Bob Morris*)

PURPOSE: To rescind Order No. 97-12, SDRWQCB requirements for the land application of biosolids by Synagro of California, Inc. in Riverside County. By rescinding Order No. 97-12, the SDRWQCB will subject Synagro to the statewide requirements prescribed under State Board Order No. 2004-0012-DWQ.

PUBLIC NOTICE: The SDRWQCB Agenda Notice was mailed on January 21, 2003 and has been posted on the Regional Board web page. This notification satisfies the requirements specified by State Government Code Section 11125 for a 10-day notice.

DISCUSSION: Order No. 97-12 prescribes waste discharge requirements for the land application of biosolids in Riverside County by Synagro Composting Company of California, Inc., a subsidiary of Synagro Technologies, Inc. These requirements were issued to Pima Gro Systems, Inc. in March 1997 and were transferred after Synagro purchased Pimo Gro later that year.

Synagro has applied biosolids to several agricultural fields in Riverside County. Typically these fields are used to grow oats and alfalfa. The biosolids have been obtained from various wastewater treatment plants in Southern California including treatment plants in the City of Los Angeles, the County of Orange Sanitation District, as well as within the Rancho California Water District and Eastern Municipal Water District. As a result of urban development in recent years, the area available for biosolids application has been diminishing in Riverside County. Synagro reported that since 2002, the company has not applied biosolids in the Santa Margarita River watershed portion of the Riverside County.

On July 22, 2004, the State Water Resources Control Board adopted Order No. 2004-0012-DWQ, prescribing general waste discharge requirements for the discharge of biosolids to land for use as a soil amendment in agricultural, silvicultural, horticultural,

and land reclamation activities. The State Board Order, adopted in accordance with California Water Code section 13274, specifies requirements that are more explicit than SDRWQCB Order 97-012. These State Board requirements include performance and prescriptive criteria facilitating the regulation of biosolids and providing additional assurance that biosolids will be discharged in a manner that protects public health and the environment.

Enclosed is tentative Order No. R9-2005-004, which would rescind Order No. 97-12. In the future, property owners proposing to use biosolids will be required, as specified by Provision 1.a of Order No. 2004-0012-DWQ, to submit a Notice of Intent (NOI) for each field or distinct application area prior to the application of biosolids. The NOI must be submitted at least 30-days prior to the date of the proposed application and must be signed both by the property owner and the principal executive officer of Synagro.

A copy of tentative Order No. R9-2005-004 was mailed to Synagro and Riverside County Department of Health Services on December 13, 2004. To date, no comments have been received on this item.

KEY ISSUE: Synagro of California, Inc. is aware that its future operations in Riverside County must receive prior authorization by the SDRWQCB pursuant to Order No. 2004-0012-DWQ.

LEGAL CONCERNS: No legal concerns have been raised regarding this item.

SUPPORTING DOCUMENTS:

- 1) Tentative Order No. R9-2005-004
- 2) Order No. 97-12
- 3) Order No. 2004-0012-DWQ
- 4) December 13, 2004 letter to Synagro

SIGNIFICANT CHANGES: One of the more significant changes resulting from the adoption of tentative Order No. R9-2005-004, which as a consequence, will require landowners proposing to use biosolids to comply with Order No. 2004-0012-DWQ, is that landowners will be required to file a pre-application report for each field or distinct application area that needs to contain detailed information about the site including land productivity, a biological site assessment, an erosion hazard rating, spill response and traffic hazard plan and in some cases a ground water monitoring plan.

COMPLIANCE

RECORD:

In December 2000, US EPA issued Synagro an Administrative Order for Compliance with the Federal Standards for the Use and Disposal of Sewage Sludge, 40 CFR 503. US EPA concluded that Synagro applied biosolids from the South East Regional Reclamation Authority (SERRA) that did not meet pathogen reduction requirements. Synagro was directed to take measures in the future to verify that sewage sludge that it applies meets pathogen reduction and other criteria.

RECOMMENDATION:

Adoption of Tentative Order No. R9-2005-004, rescinding Order No.97-12 is recommended.